THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No : 5464 of 2005

Dated 16th September, 2005.

Between:

Papuri Naraiah S/o.Subba Rao,

Aged 48 years, Occ.Business and others

And

The Station House Officer,

Tadepalli Police Station,

Tadepalli, Guntur District.

THE HON'BLE MR JUSTICE K.C. BHANU

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WRIT PETITION NO : 5464 of 2005

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ORDER:

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The writ petition is filed seeking a Mandamus declaring the action of the respondents in torturing, confining and harassing the petitioners in connection with Crime No.172 of 2003 dated 10-9-2003 of Tadepalli Police Station, Guntur District, as illegal and arbitrary.

None appeared.

All the allegations in the writ petition have been denied by the respondents. It is specifically stated in the counter-affidavit filed by the respondents that they never tortured the petitioners at any point of time and the 1st petitioner is absconding and his whereabouts are not known till the date. Now the question of torturing the petitioners does not arise. There is a disputed question of fact, which cannot be determined by this Court in view of all the allegations denied in the counter affidavit.

Hence, the writ petition is devoid of merits and is dismissed.

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(K.C.BHANU, J)

Dated 16th September, 2005.

mrb